

Interview Summary

Application No.

09/315,796

Applicant(s)

Davis et al.

Examiner

John S. Hilten

Group Art Unit

2854



All participants (applicant, applicant's representative, PTO personnel):

(1) John S. Hilten (3) _____

(2) Bob Falk (4) _____

Date of Interview Jul 3, 2000

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☒ Yes ☐ No. If yes, brief description:

Letter of 6/6/2000 office action showing a 6/7/2000 mail stamp.

Agreement ☒ was reached. ☐ was not reached.

Claim(s) discussed: None

Identification of prior art discussed:

None

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The mail date concerns of MR. Falk were discussed. Per MPEP 710.06, the response date should be one month from 6/7/2000 not 6/6/2000.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.


JOHN S. HILTEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.

FALK & FISH

ROBERT HARDY FALK, P.C.
RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

ATTORNEYS AND COUNSELORS
INTELLECTUAL PROPERTY LAW

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DALLAS, TEXAS 75379

July 3, 2000

John Hilton, Esq.,
Supervisory Primary Examiner,
Art Unit 2854
United States Patent and Trademark Office
Washington D.C. 20231

Re: Davis et. al. Serial No. 09/315,796
Our File: WILL 2501

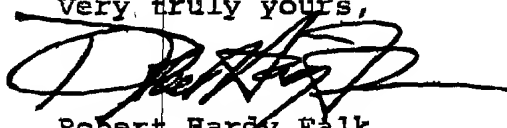
Dear John:

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Very truly yours,



Robert Hardy Falk

Enclosures.

p.s.: My post office box is Box 794748, not 794948 as on the office action. Get your clerk to get it right.

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FROM: Robert Hardy Falk

DATED: 7-3-2000

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TIME IN: 9:15 a.m.

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FIRM/COMPANY: PTO Group 2854

OUR CLIENT/MATTER NO.: _____

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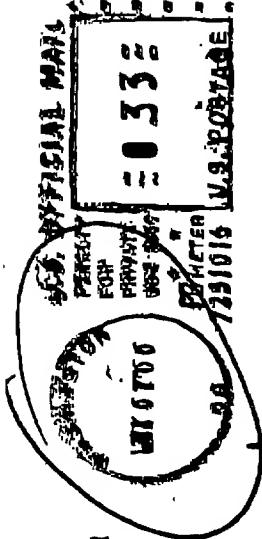
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/315,796 05/20/99 DAVIS

B WILL-2501

EXAMINER

MMC270606

ROBERT HARDY FALK
FALK & FISH LLP
P. O. box 794940
DALLAS TX 75297

FUNK S

ART UNIT

PAPER NUMBER

2864

DATE MAILED:

06/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.**Commissioner of Patents and Trademarks**

COMMUNICATION RECEIVED

Serial No. 09/315,796
Art Unit 2854

-2-

The amendment filed 4/7/00 is informal/nonresponsive because the proposed amendments to claims 44 - 46, 49, 53, 55, 57, 58, 60, 62, 63, 65, 72, 78, 82, and 85 - 87 do not comply with 37 C.F.R. § 1.121(e), which sets forth the manner of amending claims in reissue applications. A supplemental paper correctly amending the claims is required within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 C.F.R. § 1.136(a) OR (b).

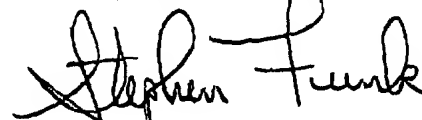
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Stephen Funk
June 1, 2000



STEPHEN R. FUNK
PRIMARY EXAMINER

*** APPLICATION INFORMATION DISPLAY ***

07/06/00 11:37

DETAIL

CONTENTS:

SC/SN: 09/315796

INFORMATION:

27 NINA O 06/06/00

FILD7: 05/20/99

FATN0:

PURN0:

F315796

26 EXIN O 05/09/00

ISSD7: 00/00/00

PUBD7: 00/00/00

25 FWDX E 04/19/00

ABND7: 00/00/00

PGPUB CL/SC:

24 A.I. I 04/07/00

APPL: DAVIS

ET AL

23 C604 I 04/07/00

LOC: 2864 LOCDT: 07/03/00

BATN0:

22 C600 I 04/07/00

CHG-LOC:

IE TEAM:

00

ISSN0: 00

21 LTDR I 04/07/00

CHGTO-NAME: NO NAME FOUND

20 LET. I 04/07/00

TOT ACT: 01 STATUS: 072 STADT: 06/05/00

19 C.A.D O 03/23/00

RESP CD: NINA START DT: 06/06/00 DUE DT: 07/06/00

18 C.A.D O 03/23/00

EXMR NO/NAME: 69381/FUNK, STEPHEN R

17 PTGR O 03/09/00

DOCKET DATE: / / GAI: 2854 L R CD: 01

16 PET. I 03/09/00

ATTY DOCK #: WILL-2501 LOST N LOST DT 00/00/00

15 PTDE O 03/09/00

APPLN TYPE: 1 TYPE SM ENT: 0 UNMAT PET: N

14 PET. I 03/06/00

CURR CL/SC: 101/141.000 FOR PRIOR CL: N PET FROM:

13 MAIL O 02/08/00

TITLE OF INVENTION: UNAVAIL FOR ACTION: N PP UNAVAIL: 8

12 CTNF F 02/03/00

COMBINED LITHOGRAPHIC/FLEXOGRAPHIC PRINTING APPARATUS AND PROCESS

END OF DISPLAY

TO DISPLAY CONTENTS: PUSH SEND

6607960 9645796

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EXPLANATION OF STATUS AND CONTENTS CODES

SC/SN: 09/315796 FILDY: 05/20/99 PATNO: ISSDT: 00/00/00
 STATDT: 06/05/00
 STATUS: 072 RESPONSE TO NON-FINAL OFFICE ACTION HELD
 NON-RESPONSIVE/INFORMAL
 27 NIHA O 06/06/00 NOTIFICATION OF INFORMAL OR NONRESPONSIVE AMENDMENT
 26 EXIN O 05/09/00 EXAMINER INTERVIEW SUMMARY RECORD
 25 FWDY E 04/19/00 DATE FORWARDED TO EXAMINER
 24 A.I. I 04/07/00 INFORMAL /NON-RESPONSIVE AMENDMENT AFTER EXAMINER ACTION
 23 C604 I 04/07/00 SUBSTITUTE SPECIFICATION FILED P/E
 22 C600 I 04/07/00 SUPPLEMENTAL DECLARATION OF OATH P/E
 21 LTDR T 04/07/00 INCOMING LETTER RE DRAWINGS P/E
 20 LET. I 04/07/00 MISCELLANEOUS INCOMING LETTER
 19 C.A.D O 03/23/00 CORRESPONDENCE ADDRESS CHANGE - ONLY P/E

PUSH SEND FOR CONTINUED EXPLANATION OF CONTENTS

09315796-052099

16
10 E.

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RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

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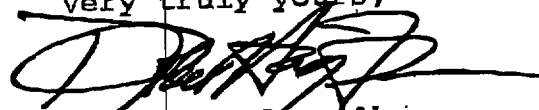
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/315,796 05/20/99 DAVIS

R WILL-2501

EXAMINER

MMC2/0606

ROBERT HARDY FALK
FALK & FISH LLP
P. O. Box 794940
DALLAS TX 75397

FUNK, S

ART UNIT

PAPER NUMBER

1984

DATE MAILED:

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560250-96201650

Serial No. 09/315,796
Art Unit 2854

-2-

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Stephen Funk
June 1, 2000

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STEPHEN R. FUNK
PRIMARY EXAMINER

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Washington D.C. 20231

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Paul

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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B WILL-2501

MMC270606

EXAMINER

ROBERT HARDY FALK
FALK & FISH LLP
P. O. box 794940
DALLAS TX 75397

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ART UNIT

PAPER NUMBER

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660250-06/07/00

Serial No. 09/315,796
Art Unit 2854

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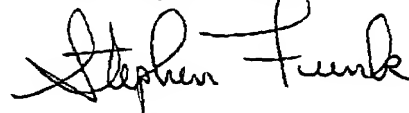
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Stephen Funk
June 1, 2000


STEPHEN R. FUNK
PRIMARY EXAMINER

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RESULT	OK	

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ROBERT HARDY FALK, P.C.
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DATED: 7-6-2000

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NUMBER OF PAGES (INCLUDING COVER): 13

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NAME: John Hilten, S.P.E.

FIRM/COMPANY: PTO Group 2854

OUR CLIENT/MATTER NO.: WILL 2501

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RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

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ATTORNEYS AT LAW
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July 6, 2000

John Hilten, Esq.,
Supervisory Primary Examiner,
Art Unit 2854
United States Patent and Trademark Office
Washington, D.C. 20231

Re: Davis et al., Serial No. 09/315,796
Our File: WILL 2501

Dear John:

I tried several times to reach you after the holiday, yesterday, and was unsuccessful. Linda Hodge-Taylor granted the one-day extension, and unless I hear from you immediately, I will assume you or in accord. My secretary has an intestinal problem and had almost had to go to the hospital. Enclosed are my correspondence with her.

I need from you the dates you and Mr. Funk are available for the continuation of the interview. We gave you Mr. Prince's available dates, in our last correspondence, attached.

Very truly yours,



Robert Hardy Falk

Enclosures.

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TRANSMISSION COVER SHEET

DATE: 7/5/00

TO:

NAME: William Falk
COMPANY/FIRM: _____
FAX NO: 972-716-9532

FROM:

NAME: Rinda M. Hodge - Taylor
COMPANY/FIRM: Patent & Trademark
FAX NO/PHONE NO: 703-308-3765

NUMBER OF PAGES 2 INCLUDING COVER SHEET.

REMARKS: sn. 09/315,796

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Receptionist: (703) 308-1782

Fax: (703) 305-
 305-1341

660250-0625 FEB 00

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G. BYRON JAMISON, SPECIAL COUNSEL

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FACSIMILE COVER LETTER

FROM: Robert Hardy Falk

DATED: 7-5-2000

SENDER'S PHONE NO.: (214) 954-4400

NUMBER OF PAGES (INCLUDING COVER): 7

TIME IN: 1:15 p.m. CST

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Linda Hodge-Taylor

FIRM/COMPANY: Supervisor, Tech Support, Group 2800 PTO

OUR CLIENT/MATTER NO.: WILL 2501

OFFICE TELEPHONE NO.: (703) 308 3765

FAX TELEPHONE NO.: (703) 305 1341

SPECIAL INSTRUCTIONS

Please fax extension for 1 day to 7-7 to (972) 716 7532

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Thank you.

660250 05 JUL 2000

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OFFICES IN DALLAS, TEXAS
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P.O. BOX 794748
DALLAS, TEXAS 75379

July 5, 2000

Ms. Linda Hodge-Taylor
Supervisor,
Technical Support, Group 2800
United States Patent and Trademark Office
Crystal Plaza IV
Room D-21
Crystal City, VA 22202

Re: Serial No. 09/315,796 to Davis et al.
Our File: WILL 2501

Dear Ms. Hodge-Taylor:

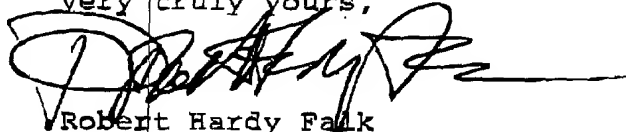
Enclosed is a copy of the letter I spoke of that was faxed to Mr. Hilten on Monday. I was under the impression that he was going to fax to me an extension late Monday or early today. Today I could not reach him.

The office action of June 6 was clearly mailed June 7. According to the rules and the MPEP, I am entitled to at least another day. Take care and correct my address for correspondence (the office action of June 6, nee June 7, was misaddressed):

Robert Hardy Falk
FALK & FISH l.l.p.
Post Office Box 794748
Dallas, Texas 75379
tel: (214) 954 4400
fax 1: (214) 969 5941
fax 2: (972) 716 9532

Please call me at (214) 695 3402 and fax the extension to the '9532 number today.

Very truly yours,



Robert Hardy Falk

Enclosures.

FALK & FISH

ROBERT HARDY FALK, P.C.
RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

ATTORNEYS AND COUNSELORS
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FACSIMILE COVER LETTER

FROM: Robert Hardy Falk

DATED: 7-3-2000

SENDER'S PHONE NO.: (214) 954-4400

NUMBER OF PAGES (INCLUDING COVER): 5

TIME IN: 9:15 a.m.

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: John Hilten, SPE

FIRM/COMPANY: PTO Group 2854

OUR CLIENT/MATTER NO.: _____

OFFICE TELEPHONE NO.: (703) 308 0719

FAX TELEPHONE NO.: (703) 308 5841

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Thank you.

6507350-36451650

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P.O. BOX 794748
DALLAS, TEXAS 75379

July 3, 2000

John Hilton, Esq.,
Supervisory Primary Examiner,
Art Unit 2854
United States Patent and Trademark Office
Washington D.C. 20231

Re: Davis et. al. Serial No. 09/315,796
Our File: WILL 2501

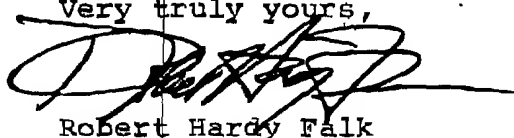
Dear John:

Confirming our telephone conversation this morning, please extend the time to response to the outstanding office action one day to July 7, 2000. The mail stamp on the office action was wrong, it was actually mailed June 7, 2000, not June 6, 2000. Please fax the extension to 972-716-9532 and 214 969 5941.

Second, as requested by Steven Funk, we are supplementing our response of April 7, 2000 with exhibit and declaration testimony from Ray Prince, as well as a declaration as to derivation of reissue applicants adversaries from reissue applicants and Rule 131 testimony as well. This will all be sent in this week. Expert Ray Prince is available July 12, 13, 14 or July 17, 18 or 19 or August 1. See how this fits in with your schedule and Steve Funk's schedule, O.K.? Please call me back at 214 695-3402 or 972 716 9544.

Third, you need to keep this file secure. The papers filed confidentially under the petition to expunge were obtained by our adversaries in the litigation by mid-April 2000 without Court order, or from us, or PTO order. Worse, the last office action mailed February 9, 2000 to us, dated falsely February 8, 2000, was in their hands by February 11, 2000, before we had received it. I want to know answers to a number of questions, not the least of which is how the adversaries got ahold of this action immediately after it was mailed.

Very truly yours,



Robert Hardy Falk

Enclosures.

p.s.: My post office box is Box 794748, not 794948 as on the office action. Get your clerk to get it right.

54

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/315,796 05/20/99 DAVIS

B WILL-2801

EXAMINER

MMC270606

FLUNK, C.

ART UNIT

PAPER NUMBER

 ROBERT HARDY FALK
FALK & FISH LLP
P. O. box 794940
DALLAS TX 75397

 2854
DATE MAILED: 06/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

09315796-052099

Serial No. 09/315,796
Art Unit 2854

-2-

The amendment filed 4/7/00 is informal/nonresponsive because the proposed amendments to claims 44 - 46, 49, 53, 55, 57, 58, 60, 62, 63, 65, 72, 78, 82, and 85 - 87 do not comply with 37 C.F.R. § 1.121(e), which sets forth the manner of amending claims in reissue applications. A supplemental paper correctly amending the claims is required within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is longer. **NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 C.F.R. § 1.136(a) OR (b).**

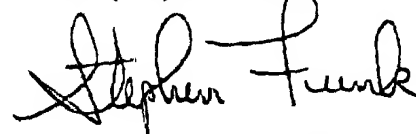
While there is concurrent litigation related to this reissue application, action in this reissue application will NOT be stayed because of applicant's request that the application be examined at this time. Due to the related litigation status of this reissue application, extensions of time under the provisions of 37 C.F.R. § 1.136(a) will not be permitted.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Funk whose telephone number is (703) 308-0982. The examiner can normally be reached on Monday - Thursday from 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hiltner, can be reached at (703) 308-0719. The fax number for incoming official papers is (703) 308-7722, 7724. The fax number for informal papers in Art Unit 2854 is (703) 308-5841.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Stephen Funk
June 1, 2000


STEPHEN R. FUNK
PRIMARY EXAMINER

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ROBERT HARDY FALK, P.C.
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G. PYRON JAMISON, SPECIAL COUNSEL

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July 6, 2000

John Hilten, Esq.,
Supervisory Primary Examiner,
Art Unit 2854
United States Patent and Trademark Office
Washington, D.C. 20231

Re: Davis et al., Serial No. 09/315,796
Our File: WILL 2501

Dear John:

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I need from you the dates you and Mr. Funk are available for the continuation of the interview. We gave you Mr. Prince's available dates, in our last correspondence, attached.

Very truly yours,



Robert Hardy Falk

Enclosures.

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G. BYRON JAMISON, SPECIAL COUNSEL

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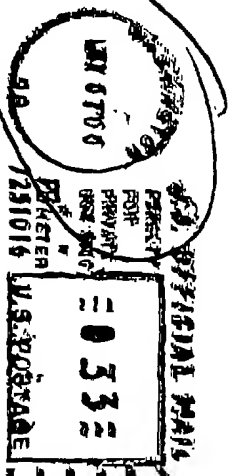
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/315,796 05/20/99 DAVIS

K WILL-2501

EXAMINER

MMC2/0606

 ROBERT HARDY FALK
FALK & FISH LLP
P. O. BOX 794940
DALLAS TX 75397

FLINK C

ART UNIT

PAPER NUMBER

2854

DATE MAILED:

06/06/00

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Commissioner of Patents and Trademarks

660250-96257E60

Serial No. 09/315,796
Art Unit 2854

-2-

The amendment filed 4/7/00 is informal/nonresponsive because the proposed amendments to claims 44 - 46, 49, 53, 55, 57, 58, 60, 62, 63, 65, 72, 78, 82, and 85 - 87 do not comply with 37 C.F.R. § 1.121(e), which sets forth the manner of amending claims in reissue applications. A supplemental paper correctly amending the claims is required within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 C.F.R. § 1.136(a) OR (b).

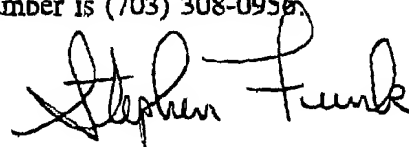
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Stephen Funk
June 1, 2000


STEPHEN R. FUNK
PRIMARY EXAMINER

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Thank you.

650750 96/5760

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G. BYRON JAMISON, SPECIAL COUNSEL

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July 6, 2000

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Supervisory Primary Examiner,
Art Unit 2854
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TECHNOLOGY CENTER 2800

TELECOPY/FACSIMILE TRANSMISSION COVER SHEET

DATE:

7/5/00

TO:

NAME:

William Falk

COMPANY/FIRM:

FAX NO:

972-716-9532

FROM:

NAME:

Linda M. Hodge - Taylor

COMPANY/FIRM:

Patent & Trademark

FAX NO/PHONE NO:

703-308-3765

NUMBER OF PAGES 2 INCLUDING COVER SHEET.

REMARKS:

SN. 09/315,796

If you have not received all pages of this transmission, please contact
Technology Center 2800 at:

Receptionist:

(703) 308-1782

Fax:

(703) 305- [REDACTED]

305-1341

REC'D 352560

Wednesday, July 05, 2000

7/5/00 2:45 PM

SERIAL NO.: 09/315,796 - Reissue
INVENTOR(S) : Davis, Bill L. et al.
FILING DATE: 5/20/99
ATTORNEY'S DOCKET # WILL-2501

TITLE OF INVENTION: COMBINED LITHOGRAPHIC/FLEXOGRAPHIC PRINTING
APPARATUS AND PROCESS

Per our conversation on July 5, 2000 2:45:36 PM EST - Your Faxed information has been received.
reviewed and noted by the PTO.

Spoke with Robert Falk. Faxing this note to 972-716-9532

Respectfully Submitted,

Linda Hodge-Taylor, Head *Linda Hodge-Taylor*
Supervisory Legal Instrumental Examiner
Technology Center 2800

703-308-3765
Linda Hodge-Taylor
Crystal Plaza 4 - 11- D21
2201 South Clark Place
Arlington, Va 22202

550250" 3645160



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Wednesday, July 05, 2000

SERIAL NO.: 09/315,796 - Reissue
INVENTOR(S) : Davis, Bill L. et al.
FILING DATE: 5/20/99
ATTORNEY'S DOCKET # WILL-2501

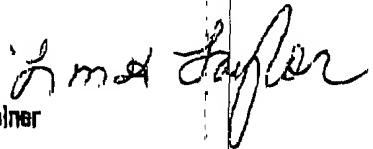
**TITLE OF INVENTION: COMBINED LITHOGRAPHIC/FLEXOGRAPHIC PRINTING
APPARATUS AND PROCESS**

Per our conversation on July 5, 2000 12:30 EST - Your request for an additional day, due to the incorrect date on the mailing envelope is approved.

Spoke with Robert Falk. Faxing this note to 972-716-9532

Respectfully Submitted,

Linda Hodge-Taylor, Head
Supervisory Legal Instrumental Examiner
Technology Center 2800



703-308-3765
Linda Hodge-Taylor
Crystal Plaza 4 - 11- D21
2201 South Clark Place
Arlington, Va 22202

667250-962560

FALK & FISH

ROBERT HARDY FALK, P.C.
RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

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E-Mail: falk@patent.net

**OFFICES IN DALLAS, TEXAS
AND SAN JOSE, CALIFORNIA**

MAILING ADDRESS
P.O. BOX 794748
DALLAS, TEXAS 75379

FACSIMILE COVER LETTER

FROM: Robert Hardy Falk

DATED: 7-5-'2000

SENDER'S PHONE NO.: (214) 954-4100

NUMBER OF PAGES (INCLUDING COVER): 7

TIME IN: 1:15 p.m. CST

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Linda Hodge-Taylor

FIRM/COMPANY: Supervisor, Tech Support, Group 2800 PTO

OUR CLIENT/MATTER NO.: WILL 2501

OFFICE TELEPHONE NO.: (703) 308 3765

FAX TELEPHONE NO.: (703) 305 1341

SPECIAL INSTRUCTIONS .

Please fax extension for 1 day to 7-7 to (972) 716 7532

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Thank you.

FALK & FISH

ROBERT HARDY FALK, P.C.
RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

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DALLAS, TEXAS 75379

July 5, 2000

Ms. Linda Hodge-Taylor
Supervisor,
Technical Support, Group 2800
United States Patent and Trademark Office
Crystal Plaza IV
Room D-21
Crystal City, VA 22202

Re: Serial No. 09/315,796 to Davis et al.
Our File: WILL 2501

Dear Ms. Hodge-Taylor:

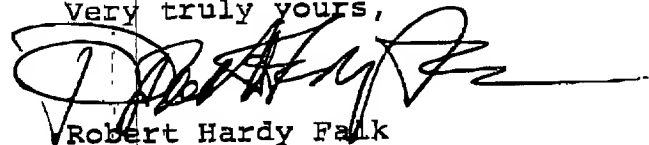
Enclosed is a copy of the letter I spoke of that was faxed to Mr. Hiltner on Monday. I was under the impression that he was going to fax to me an extension late Monday or early today. Today I could not reach him.

The office action of June 6 was clearly mailed June 7. According to the rules and the MPEP, I am entitled to at least another day. Take care and correct my address for correspondence (the office action of June 6, not June 7, was misaddressed):

Robert Hardy Falk
FALK & FISH, L.L.P.
Post Office Box 794748
Dallas, Texas 75379
tel: (214) 954 4400
fax 1: (214) 969 5941
fax 2: (972) 716 9532

Please call me at (214) 695 3402 and fax the extension to the '9532 number today.

Very truly yours,



Robert Hardy Falk

Enclosures.

660250-0625160

FALK & FISH

ROBERT HARDY FALK, P.C.
RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

ATTORNEYS AND COUNSELORS
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OFFICES IN DALLAS, TEXAS
AND SAN JOSE, CALIFORNIA

MAILING ADDRESS
P.O. BOX 794748
DALLAS, TEXAS 75379

FACSIMILE COVER LETTER

FROM: Robert Hardy Falk

DATED: 7-3-2000

SENDER'S PHONE NO.: (214) 954-4400

NUMBER OF PAGES (INCLUDING COVER): 5

TIME IN: 9:15 a.m.

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: John Hiltten, SPE

FIRM/COMPANY: PTO Group 2854

OUR CLIENT/MATTER NO.: _____

OFFICE TELEPHONE NO.: (703) 308 0719

FAX TELEPHONE NO.: (703) 308 5841

SPECIAL INSTRUCTIONS

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If you do not receive all pages, please call (214) 954-4403 ASAP.

Thank you.

560757-96257660

FALK & FISH

ROBERT HARDY FALK, P.C.
RONALD C. FISH, P.C.

G. BYRON JAMISON, SPECIAL COUNSEL

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OFFICES IN DALLAS, TEXAS
AND SAN JOSE, CALIFORNIA

MAILING ADDRESS
P.O. BOX 794748
DALLAS, TEXAS 75379

July 3, 2000

John Hilton, Esq.,
Supervisory Primary Examiner,
Art Unit 2854
United States Patent and Trademark Office
Washington D.C. 20231

Re: Davis et. al. Serial No. 09/315,796
Our File: WILL 2501

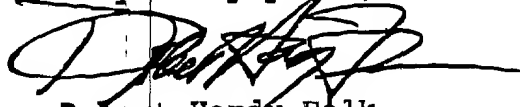
Dear John:

Confirming our telephone conversation this morning, please extend the time to response to the outstanding office action one day to July 7, 2000. The mail stamp on the office action was wrong, it was actually mailed June 7, 2000, not June 6, 2000. Please fax the extension to 972-716-9532 and 214 969 5941.

Second, as requested by Steven Funk, we are supplementing our response of April 7, 2000 with exhibit and declaration testimony from Ray Prince, as well as a declaration as to derivation of reissue applicants adversaries from reissue applicants and Rule 131 testimony as well. This will all be sent in this week. Expert Ray Prince is available July 12, 13, 14 or July 17, 18 or 19 or August 1. See how this fits in with your schedule and Steve Funk's schedule, O.K.? Please call me back at 214 695-3402 or 972 716 9544.

Third, you need to keep this file secure. The papers filed confidentially under the petition to expunge were obtained by our adversaries in the litigation by mid-April 2000 without Court order, or from us, or PTO order. Worse, the last office action mailed February 9, 2000 to us, dated falsely February 8, 2000, was in their hands by February 11, 2000, before we had received it. I want to know answers to a number of questions, not the least of which is how the adversaries got ahold of this action immediately after it was mailed.

Very truly yours,



Robert Hardy Falk

Enclosures.
p.s.: My post office box is Box 794748, not 794948 as on the office action. Get your clerk to get it right.

660250-5645750

**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**Address: **COMMISSIONER OF PATENTS AND TRADEMARKS**
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/315,796 05/20/99 DAVIS

N WILL-2501

EXAMINER

MM02/0606

ROBERT HARDY FALK
FALK & FISH LLP
P. O. Box 794940
DALLAS TX 75397

FUNK C

ART UNIT

PAPER NUMBER

0854

DATE MAILED:

05/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

050200 050500

Serial No. 09/315,796
Art Unit 2854

-2-

The amendment filed 4/7/00 is informal/nonresponsive because the proposed amendments to claims 44 - 46, 49, 53, 55, 57, 58, 60, 62, 63, 65, 72, 78, 82, and 85 - 87 do not comply with 37 C.F.R. § 1.121(e), which sets forth the manner of amending claims in reissue applications. A supplemental paper correctly amending the claims is required within a time limit of one month from the date of this letter or within the time remaining in the response period of the last Office action, whichever is longer. NO EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 C.F.R. § 1.136(a) OR (b).

While there is concurrent litigation related to this reissue application, action in this reissue application will NOT be stayed because of applicant's request that the application be examined at this time. Due to the related litigation status of this reissue application, extensions of time under the provisions of 37 C.F.R. § 1.136(a) will not be permitted.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Funk whose telephone number is (703) 308-0982. The examiner can normally be reached on Monday - Thursday from 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hilten, can be reached at (703) 308-0719. The fax number for incoming official papers is (703) 308-7722, 7724. The fax number for informal papers in Art Unit 2854 is (703) 308-5841.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Stephen Funk
June 1, 2000


STEPHEN R. FUNK
PRIMARY EXAMINER